

## The Honorable J. Kelley Arnold

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

RICHARD NELSON, )  
Plaintiff, )  
vs. )  
BNSF RAILWAY COMPANY, a Delaware )  
Corporation, )  
Defendant. )  
No. 08-5276JKA  
STIPULATION AND ORDER FOR  
ATTENDANCE AT INDEPENDENT  
MEDICAL EXAMINATION

IT IS HEREBY STIPULATED by and between the parties hereto, through their respective counsel, that plaintiff Richard Nelson will present himself for examination by James Russo, MD, Orthopedic Surgery, at the following date, time, and location:

DATE: **March 18, 2009**

TIME: 1:30 p.m.

**PLACE:** Machaon Medical Evaluations, Inc.  
801 Broadway, Suite 912  
Seattle, Washington 98122  
(206) 323-1999

1 Dated: March 5, 2009

2  
3 s/Keith Ekstrom  
4 Keith Ekstrom  
5 Fredric A. Bremseth  
6 Bremseth Law Firm, P.C.  
7 601 Carlson Parkway, Suite 995  
8 Minnetonka, Minnesota 55305

Dated: March 5, 2009

9 s/Tom Montgomery  
10 Tom Montgomery  
11 Kelsey E. Endres  
12 Montgomery Scarp MacDougall, PLLC  
13 1218 3rd Ave, Ste 2700  
14 Seattle, WA 98101-3237

15 ORDER FOR CR 35 EXAMINATION

16 BASED UPON the foregoing Stipulation of the parties, it is hereby ORDERED,  
17 ADJUDGED AND DECREED that plaintiff Richard Nelson will attend the scheduled March  
18, 2009, medical examination with James Russo, M.D. as detailed in the above stipulation.

19 DATED this 12<sup>th</sup> day of March, 2009.

20  
21 /s/ J. Kelley Arnold  
22 Honorable J. Kelley Arnold  
23 United States Magistrate Judge

24 Presented by:

25 Dated: March 5, 2009

26 s/Keith Ekstrom  
27 Keith Ekstrom  
Fredric A. Bremseth  
Bremseth Law Firm, P.C.  
601 Carlson Parkway, Suite 995  
Minnetonka, Minnesota 55305

Dated: March 5, 2009

s/Tom Montgomery  
Tom Montgomery  
Kelsey E. Endres  
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